

**ACCARDI & MIRDA**  
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ANTHONY J. ACCARDI  
CRISTINA ACCARDI MIRDA\*♦

OF COUNSEL  
JOSEPH S. ACCARDI  
MICHAEL A. MIRDA

\*Certified by the Supreme Court of New Jersey  
As A Civil Trial Attorney

♦R.I.:40 Qualified Mediator

June 6, 2017

William T. Walsh, Clerk of the Court  
United States District Court  
Martin Luther King Federal Courthouse & Building  
50 Walnut Street  
Newark, New Jersey 07102

Re: Maryellen Hanley, et al. v. Metropolitan Property and Casualty Insurance Company, et al.  
Middlesex County Docket Number: MID-L-2353-17

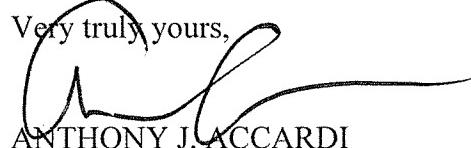
Dear Sir/Madam:

Enclosed please find the following documents for filing with reference to the above-entitled matter:

- (xx) Notice of Filing;
- (xx) Notice of Removal to the United States District Court and exhibits in support thereof;
- (xx) Civil Cover Sheet;
- (xx) Certification of Service.

The filing fee of \$400.00 is being paid electronically via the internet.

Thank you for your attention to this matter.

Very truly yours,  
  
ANTHONY J. ACCARDI

Encl.

Page Two  
June 6, 2017

United States District Court

RE: Maryellen Hanley, et al. v. Metropolitan Property and Casualty Insurance Company, et al.

Cc: Clerk, Middlesex County Superior Court  
56 Paterson Street  
New Brunswick, New Jersey 08903

Paul A. Garfield, Esq.  
Davis, Saperstein & Salomon, P.C.  
375 Cedar Lane  
Teaneck, New Jersey 07666

ACCARDI & MIRDA, P.C.  
100 Eagle Rock Ave., St. 307  
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Tele: (973) 585-6480  
Fax: (973) 585-6487  
Attorney/Firm ID: 029391987  
Attorneys for Defendant, METROPOLITAN PROPERTY AND CASUALTY INSURANCE COMPANY

---

MARYELLEN HANLEY AND JOSEPH HANLEY, HER SPOUSE, : UNITED STATES DISTRICT COURT  
Plaintiffs, : DISTRICT OF NEW JERSEY  
vs. :  
METROPOLITAN PROPERTY AND : CIVIL ACTION  
CASUALTY INSURANCE COMPANY, JOHN :  
DOES 1-10 (FICTION NAMES :  
REPRESENTING UNKNOWN INDIVIDUALS), :  
AND/OR XYZ CORPS. 1-10 (FICTION NAMES :  
REPRESENTING UNKNOWN :  
CORPORATIONS, PARTNERSHIPS AND/OR :  
LIMITED LIABILITY COMPANIES OR :  
OTHER TYPES OF LEGAL ENTITIES), :  
and LUCILLE BIONDO, :  
Defendants, :  
:

---

TO: WILLIAM T. WALSH, CLERK OF THE COURT  
UNITED STATES DISTRICT COURT  
MARTIN LUTHER KING FEDERAL COURTHOUSE & BUILDING  
50 WALNUT STREET  
NEWARK, NEW JERSEY 07102

WITH NOTICE TO: Clerk, Middlesex County Superior Court  
56 Paterson Street  
New Brunswick, New Jersey 08903

Paul A. Garfield, Esq.  
Davis, Saperstein & Salomon, P.C.  
375 Cedar Lane  
Teaneck, New Jersey 07666

SIRS AND/OR MADAMS:

Please take notice that a Notice of Removal of this action from the Superior Court of New Jersey, Law Division, Middlesex County, Docket Number: MID-L-2353-17 to the United States District Court for the District of New Jersey, a copy of the Notice of Removal is attached hereto, was filed on June 6, 2017 in the United States District Court for the District of New Jersey, Newark Vicinage.

BY:   
\_\_\_\_\_  
ANTHONY J. ACCARDI, ESQ.

Dated: June 6, 2017

ACCARDI & MIRDA, P.C.  
100 Eagle Rock Ave., St. 307  
East Hanover, New Jersey 07936  
Tele: (973) 585-6480  
Fax: (973) 585-6487  
Attorney/Firm ID: 029391987  
Attorneys for Defendant, METROPOLITAN PROPERTY AND CASUALTY INSURANCE COMPANY

---

MARYELLEN HANLEY AND JOSEPH HANLEY, HER SPOUSE, : UNITED STATES DISTRICT COURT  
Plaintiffs, : DISTRICT OF NEW JERSEY  
vs. :  
METROPOLITAN PROPERTY AND CASUALTY INSURANCE COMPANY, JOHN DOES 1-10 (FICTIONAL NAMES REPRESENTING UNKNOWN INDIVIDUALS), AND/OR XYZ CORPS. 1-10 (FICTIONAL NAMES REPRESENTING UNKNOWN CORPORATIONS, PARTNERSHIPS AND/OR LIMITED LIABILITY COMPANIES OR OTHER TYPES OF LEGAL ENTITIES), and LUCILLE BIONDO, : CIVIL ACTION  
Defendants, :  
:

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PLEASE TAKE NOTICE that Defendant, METROPOLITAN PROPERTY AND CASUALTY INSURANCE COMPANY (hereinafter referred to as "Met P&C") files this Notice of Removal, pursuant to 28 U.S.C. § 1446, to remove this civil action from the Superior Court of New Jersey, Law Division, Middlesex County, wherein it was filed under Docket Number MID-L-2353-17, to the United States District Court for the District of New Jersey, and shows unto this Honorable Court as follows:

1. Pursuant to 28 U.S.C. § 1446, Met P&C invokes this District Court's jurisdiction under 28 U.S.C. § 1441 (providing that defendants may remove any civil action, filed in state

court, of which the District Courts of the United States have original jurisdiction), and 28 U.S.C. § 1332 (granting District Courts original jurisdiction of all civil actions between persons of diverse citizenship).

2. On April 20, 2017, Plaintiffs, Maryellen Hanley and Joseph Hanley, her spouse, filed an action against Met P&C in the Superior Court of the State of New Jersey, Law Division, Middlesex County, for underinsured motorist (UIM) coverage arising out of a motor-vehicle accident which occurred on or about September 27, 2016. A true copy of the Complaint is annexed hereto as Exhibit "A."

3. The Summons and Complaint were received by Met P&C via personal service on May 8, 2017. A true copy of the Summons is annexed hereto as Exhibit "B."

4. There have been no other proceedings in this action.

5. The plaintiffs purport to be citizens and residents of the State of New Jersey residing within the County of Somerset. (Ex. A).

6. Met P&C is a Rhode Island corporation with its principal place of business located at 700 Quaker Lane, Warwick, RI 02887.

7. Pursuant to 28 U.S.C. § 1332(c)(1), Met P&C is, therefore, a citizen and resident of Rhode Island. Met P&C is not, and was not at the time of the filing, a citizen of the State of New Jersey.

8. Met P&C is the only known defendant in this action. There are no other defendants that can be ascertained at this time or believed to reside in New Jersey. (Ex. A).

9. Therefore, complete diversity of citizenship exists between the parties.

10. At the time of the subject accident, the plaintiff, Maryellen Hanley was the operator of a motor vehicle owned by the plaintiff, Joseph Hanley, and insured by Met P&C with \$500,000.00 in first-party UIM coverage. (Ex. A).

11. The plaintiffs settled their underlying claim with the tortfeasor's liability policy for \$15,000.00, and by way of this action are now seeking \$485,000.00 in first-party UIM benefits through their own policy with Met P&C. See also, "Offer of Judgment" in the amount of \$485,000.00 included in the Complaint. (Ex. A).

12. Therefore, the matter in controversy clearly exceeds \$75,000.00.

13. Jurisdiction over the subject matter of this action is conferred on this Court by 28 U.S.C. § 1441(a).

14. Jurisdiction in this Court is proper pursuant to 28 U.S.C. § 1332 and 28 U.S.C. § 1441 in that the parties are of complete diversity of citizenship, the amount in controversy exceeds \$75,000.00 exclusive of interest and costs, and no defendant is a citizen of the State of New Jersey.

15. Venue in this district is proper under 28 U.S.C. § 1441 because this District includes the New Jersey Superior Court in Middlesex County, the forum in which the removed action was pending.

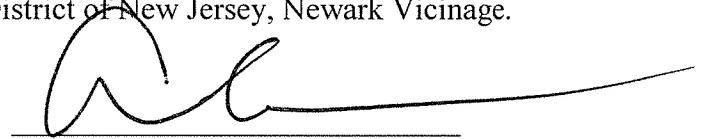
16. This Notice of Removal was filed with this Court within 30 days of Met P&C's receipt "through service or otherwise, of the initial pleading setting forth a claim for relief upon which such action or proceeding is based," as provided by 28 U.S.C. § 1446(b).

17. Pursuant to 28 U.S.C. § 1446(d), written notice of this Notice of Removal has been given to all parties involved in the State action.

18. Pursuant to 28 U.S.C. § 1446(d), a copy of this Notice of Removal has been filed with the Clerk of the Superior Court of New Jersey, Law Division, Middlesex County.

19. The Complaint and Summons, annexed as Exhibits A & B, respectively, constitute all of the process, pleadings, and/or orders that have been served on Met P&C in connection with this action.

WHEREAS, Defendant/Petitioner, Met P&C, respectively gives notice to this Court of the removal of the State action in the Superior Court of New Jersey, Law Division, Middlesex County to the United States District Court for the District of New Jersey, Newark Vicinage.



ANTHONY J. ACCARDI, ESQ.

Date: June 6, 2017

# EXHIBIT A

FILED & RECEIVED #1  
2017 APR 20 PM 12:03  
CIVIL OFFICE  
MIDDLESEX VICINAGE

Paul A. Garfield, Esq. - 015691989  
DAVIS, SAPERSTEIN & SALOMON, P.C.  
375 Cedar Lane  
Teaneck, New Jersey 07666-3433  
(201) 907-5000  
Fax: (201) 692-0444  
Attorneys for Plaintiff(s),

Maryellen Hanley and Joseph Hanley, her spouse

Plaintiff(s),

- vs -

Metropolitan Property and Casualty Insurance Company, John Does 1-10 (fictitious names representing unknown individuals) and/or XYZ Corps. 1-10 (fictitious names representing unknown corporations, partnerships and/or Limited Liability Companies or other types of legal entities)

Defendant(s).

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX COUNTY  
DOCKET NO: MID-L-2353-17

Civil Action

COMPLAINT AND JURY DEMAND  
AND OFFER OF JUDGEMENT

Plaintiffs Maryellen Hanley and Joseph Hanley residing at 1825 Bolmer Farm Road, in the Township of Bridgewater (Martinsville), County of Somerset, and the State of New Jersey, by way of Complaint against the Defendants say:

-1-

DAVIS, SAPERSTEIN & SALOMON, P.C.  
375 Cedar Lane  
Teaneck, New Jersey 07666-3433  
(201) 907-5000

FIRST COUNT

1. At all relevant times herein, Plaintiff Maryellen Hanley, date of birth August 8, 1964 was a New Jersey resident who resided at 1825 Bolmer Farm Road, in the Township of Bridgewater (Martinsville), County of Somerset, and the State of New Jersey.

2. At all times herein relevant, Defendant Metropolitan Property and Casualty Insurance Company, is now and at all times herein mentioned a statutory entity organized and existing under the laws of the State of New Jersey, authorized to engage in the automobile insurance business and servicing of insurance claims in the State of New Jersey, including uninsured/underinsured motorist coverage, with its principal place of business located in Scranton, Pennsylvania.

3. On or about September 27, 2016, Plaintiff Maryellen Hanley was the operator of a motor vehicle owned by the Plaintiff Joseph Hanley, and insured by the Defendant Metropolitan Property and Casualty Insurance Company, under Policy Number 253462834-0 for and in consideration of annual premium payments. Plaintiffs had paid all premiums according to the contract agreement, and said policy of insurance was in effect on September 27, 2016.

4. Said policy of automobile insurance entitled Plaintiff Maryellen Hanley, and any drivers and passengers in said motor vehicle, in addition to any persons suffering damages as a result of an accident within said motor vehicle, to medical expense benefits and uninsured/underinsured motorist benefits with respect to bodily injuries sustained and caused by an automobile accident.

5. On or about September 27, 2016, Plaintiff Maryellen Hanley the operator of a motor vehicle, which was traveling on Martinsville Road, at or near its intersection with Allen Road, in the Township of Bernards, County of Somerset, and the State of New Jersey.

6. At the aforesaid time and place, Sunita Agrawal was the operator of a vehicle, owned by Narendra S. Bish, which was making a turn onto Allen Road, at or near its intersection with Martinsville Road, in the Township of Bernards, County of Somerset, and the State of New Jersey.

7. At the aforesaid time and place, Sunita Agrawal operated said vehicle in such an inattentive, careless, reckless, and negligent manner, so as to cause the vehicle to collide with the vehicle being operated by the Plaintiff Maryellen Hanley, thereby causing the Plaintiff to sustain severe personal injuries.

8. As a direct and proximate result of the aforesaid inattentiveness, carelessness, recklessness, and negligence of Sunita Agrawal and Narendra S. Bish, Plaintiff Maryellen Hanley was injured in and about her mind and body; was and will in the future be caused great pain and suffering to her mind and body; was and will in the future be obliged to expend great sums of money for medical aid and attention; has sustained economic loss; and was and will in the future be unable to attend to her usual pursuits and occupations and was further damaged.

9. The injuries and damages suffered by the Plaintiff as aforesaid are personal injuries either exempt from or meeting the requirements of one or more of the categories set forth in N.J.S.A. 39:6A-8(a), if said Statute is applicable to the Plaintiff's cause of action as set forth in this Complaint.

10. Sunita Agrawal and Narendra S. Bisht were underinsured, and pursuant to the provisions of the applicable insurance policy, Plaintiff Maryellen Hanley is entitled to underinsured motorist benefits from Defendant Metropolitan Property and Casualty Insurance Company.

11. The underlying case in this matter was settled for \$15,000.00 on or about February 16, 2017, and the Plaintiff received Defendant Metropolitan Property and Casualty Insurance Company's consent to settle on or about March 13, 2017.

12. Defendant Metropolitan Property and Casualty Insurance Company has failed to recognize the underinsured motorist claim.

WHEREFORE, Plaintiff Maryellen Hanley demands judgment for damages against the Defendant Metropolitan Property and Casualty Insurance Company, compelling them to provide and pay Plaintiff's contracted damages pursuant to underinsured motorist coverage, together with interest, costs, and such other relief as this Court may deem fair and appropriate.

SECOND COUNT

1. Plaintiff Maryellen Hanley repeats each and every allegation of the First Count of the Complaint as if set forth at length herein verbatim.

2. At the aforesaid time and place, Defendants John Does 1-10 was an unknown person and/or persons whose actions caused and/or contributed, directly and indirectly, to the accident herein and the injuries and damages suffered by Plaintiff Maryellen Hanley.

3. At the aforesaid time and place, Defendants XYZ Corps. 1-10 was an unknown business, corporation and/or entity, whose agents, servant and/or employee's actions caused and/or contributed, directly or indirectly, to the accident herein and the injuries and damages suffered by Plaintiff Maryellen Hanley.

DAVIS, SAPERSTEIN & SALOMON, P.C.  
375 Cedar Lane  
Teaneck, New Jersey 07666-3433  
(201) 907-5000

4. As a direct and proximate result of the aforesaid carelessness, recklessness and negligence of the Defendants John Does 1-10 and/or XYZ Corps. 1-10, Plaintiff Maryellen Hanley was injured in and about her mind and body; was and will in the future be caused great pain and suffering to her mind and body; was and will in the future be obliged to expend great sums of money for medical aid and attention; has sustained economic loss; and was and will in the future be unable to attend to her usual pursuits and occupations and was further damaged.

5. The injuries and damages suffered by Plaintiff Maryellen Hanley as aforesaid is are personal injuries meeting the requirements of one or more of the categories set forth in N.J.S.A. 39:6A-(a), if said Statute is applicable to Plaintiff's cause of action as set forth in this Complaint.

WHEREFORE, Plaintiff Maryellen Hanley demands judgment for damages against the Defendants John Does 1-10 and/or XYZ Corps. 1-10 compelling them to provide and pay Plaintiff's contracted damages pursuant to underinsured motorist coverage, together with interest, costs, and such other relief as this Court may deem fair and appropriate.

THIRD COUNT

1. Plaintiff Joseph Hanley repeats each and every allegation contained in the First and Second Counts of the Complaint as if set forth at length herein verbatim.

2. Plaintiff Joseph Hanley is the spouse of Maryellen Hanley, the injured Plaintiff.

3. As a direct and proximate result of the aforesaid injuries to the Plaintiff Maryellen Hanley, the Plaintiff Joseph Hanley has been and will be deprived of the consortium and services of the said injured Plaintiff.

WHEREFORE, Plaintiff Joseph Hanley demands judgment against the Defendants for such sum as would be reasonable and proper compensation in accordance with the laws of the State of New Jersey, together with interest and costs.

DAVIS, SAPERSTEIN & SALOMON, P.C.  
Attorneys for Plaintiff(s)

Dated: April 18, 2017

BY: Paul A. Garfield, Esq.  
For the Firm

JURY DEMAND

Plaintiffs demand a trial by jury on all issues raised in the various Counts of the Complaint.

DESIGNATION OF TRIAL COUNSEL

043312006

Plaintiffs hereby designate Christopher T. Karounos, Esq. as trial counsel in this matter.

DEMAND FOR FULL POLICY LIMITS

Plaintiffs hereby demand the full sum of Defendant's UIM policy limits.

DAVIS, SAPERSTEIN & SALOMON, P.C.  
Attorneys for Plaintiff(s)

Dated: April 18, 2017

BY: Paul A. Garfield, Esq.  
For the Firm

OFFER OF JUDGEMENT

Pursuant to Rule 4:58-2, you are hereby served with an Offer of Judgement in the amount of Four Hundred and Eighty Five Thousand Dollars (\$485,000).

Failure to accept this offer will subject you to any excess award, costs of suit, interest, plus attorneys' fees.

DAVIS, SAPERSTEIN & SALOMON, P.C.  
375 Cedar Lane  
Teaneck, New Jersey 07666-3433  
(201) 907-5000

DEMAND FOR ANSWERS TO INTERROGATORIES

Pursuant to Rule 4:17-1(b)(1) et seq., Plaintiffs hereby demand that Defendants answer Form "C" Uniform Set of Interrogatories of Appendix II and supplemental Form "C1", within the time prescribed by the Rules of Court.

Plaintiffs reserve the right to propound additional supplemental Interrogatories pursuant to the Rules of Court.

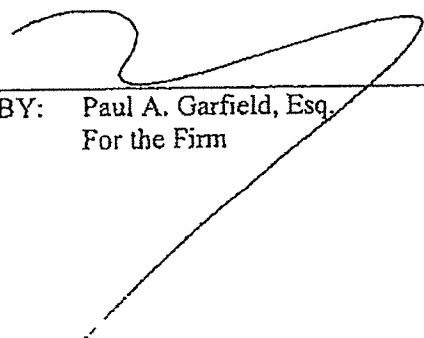
CERTIFICATION

I certify, pursuant to R.4:5-1, that to the best of my knowledge, information and belief at this time, the matter in controversy is not the subject matter of any other action pending in any other court, nor of any pending arbitration proceeding; that no other action or arbitration is contemplated; and that there are no other parties who should be joined in this action.

DAVIS, SAPERSTEIN & SALOMON, P.C.  
Attorneys for Plaintiff(s)

Dated: April 18, 2017

BY: Paul A. Garfield, Esq.  
For the Firm



Appendix XII-B1

	<b>CIVIL CASE INFORMATION STATEMENT (CIS)</b> Use for initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		<small>FOR USE BY CLERK'S OFFICE ONLY</small> PAYMENT TYPE: <input type="checkbox"/> CASH <input checked="" type="checkbox"/> CHECK <input type="checkbox"/> MASTERCARD CHG/CK NO. <i>1811 APR 20 D 12-03</i> AMOUNT: <i>MIDDLESEX VICTIM IMAGE</i> OVERPAYMENT: BATCH NUMBER:
ATTORNEY / PRO SE NAME Paul A. Garfield, Esq.		TELEPHONE NUMBER (201) 907-5000	COUNTY OF VENUE Middlesex
FIRM NAME (if applicable) DAVIS, SAPERSTEIN & SALOMON, PC			DOCKET NUMBER (when available) <i>MID-L-2353-17</i>
OFFICE ADDRESS 375 Cedar Lane Teaneck, New Jersey 07666			DOCUMENT TYPE Complaint
			JURY DEMAND <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
NAME OF PARTY (e.g., John Doe, Plaintiff) Maryellen Hanley, Plaintiff Joseph Hanley, Plaintiff		CAPTION Maryellen Hanley, et. al. vs. Metropolitan Property and Casualty Insurance Company	
CASE TYPE NUMBER <small>(See reverse side for listing)</small> 621	HURRICANE-SANDY RELATED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <small>IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT</small>	
RELATED CASES PENDING? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, LIST DOCKET NUMBERS	
DO YOU ANTICIPATE ADDING ANY PARTIES <small>(arising out of same transaction or occurrence)?</small> <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) Metropolitan Property and Casualty Insurance Company <input type="checkbox"/> NONE <input type="checkbox"/> UNKNOWN	
<b>THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.</b>			
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION			
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS	
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION			
Do you or your client need any disability accommodations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, please identify the requested accommodation	
Will an interpreter be needed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, for what language?	
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).			
ATTORNEY SIGNATURE			

Side 2



## CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

### CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

#### Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

#### Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

#### Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

#### Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

#### Multicounty Litigation (Track IV)

- |  |   |
|--|---|
| 271 ACCUTANE/ISOTRETINOIN                  | 292 PELVIC MESH/BARD                                      |
| 274 RISPERDAL/USEROQUEL/ZYPREXA            | 293 DEPUY ASR HIP IMPLANT LITIGATION                      |
| 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL     | 295 ALLODERM REGENERATIVE TISSUE MATRIX                   |
| 282 FOSAMAX                                | 296 STRYKER REJUVENATE/ABG II MODULAR HIP STEM COMPONENTS |
| 285 STRYKER TRIDENT HIP IMPLANTS           | 297 MIRENA CONTRACEPTIVE DEVICE                           |
| 286 LEVAQUIN                               | 299 OLMESARTAN MEDOXOMIL MEDICATIONS/BENICAR              |
| 287 YAZ/YASMIN/OCELLA                      | 300 TALC-BASED BODY POWDERS                               |
| 289 REGLAN                                 | 601 ASBESTOS  |
| 290 POMPTON LAKES ENVIRONMENTAL LITIGATION | 623 PROPECIA  |
| 291 PELVIC MESH/GYNECARE                   |   |

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category     Putative Class Action     Title 59

MIDDLESEX VICINAGE CIVIL DIVISION  
P O BOX 2633  
56 PATERSON STREET  
NEW BRUNSWICK NJ 08903-2633

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (732) 519-3728  
COURT HOURS 8:30 AM - 4:30 PM

DATE: APRIL 21, 2017  
RE: HANLEY MARYELLEN VS METROPOLITAN PROPERTY  
DOCKET: MID L -002353 17

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS  
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON PHILLIP L. PALEY

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 002  
AT: (732) 519-3737 EXT 3737.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A  
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.  
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE  
WITH R.4:SA-2.

ATTENTION:

ATT: PAUL A. GARFIELD  
DAVIS SAPERSTEIN & SALOMON PC  
375 CEDAR LANE  
TEANECK NJ 07666-3433

JUMLEE2

NJ SUPERIOR COURT LAWYER REFERRAL AND LEGAL SERVICE LIST**ATLANTIC COUNTY:**

Deputy Clerk, Superior Court  
 Civil Division, Direct Filing  
 1201 Bacharach Blvd , 1st Fl  
 Atlantic City, NJ 08401  
**LAWYER REFERRAL**  
 (609) 345-3444  
**LEGAL SERVICES**  
 (609) 348-4200

**ESSEX COUNTY:**

Deputy Clerk, Superior Court  
 Civil Customer Service  
 Hall of Records, Room 201  
 465 Dr. Martin Luther King Jr.  
 Blvd.  
 Newark, NJ 07102  
**LAWYER REFERRAL**  
 (973) 622-6204  
**LEGAL SERVICES**  
 (973) 624-4500

**MONMOUTH COUNTY:**

Deputy Clerk, Superior Court  
 Court House  
 P. O Box 1269  
 Freehold, NJ 07728-1269  
**LAWYER REFERRAL**  
 (732) 431-5544  
**LEGAL SERVICES**  
 (732) 866-0020

**SUSSEX COUNTY:**

Deputy Clerk, Superior  
 Court  
 Sussex County Judicial  
 Center  
 43-47 High Street  
 Newton, NJ 07860  
**LAWYER REFERRAL**  
 (973) 267-5882  
**LEGAL SERVICES**  
 (973) 383-7400

**BERGEN COUNTY:**

Deputy Clerk, Superior Court  
 Civil Division, Room 115  
 Justice Center, 10 Main St.  
 Hackensack, NJ 07601  
**LAWYER REFERRAL**  
 (201) 488-0044  
**LEGAL SERVICES**  
 (201) 487-2166

**GLOUCESTER COUNTY:**

Deputy Clerk, Superior Court  
 Civil Case Management Office,  
 Attn: Intake, First Fl., Court  
 House  
 1 North Broad Street  
 Woodbury, NJ 08096  
**LAWYER REFERRAL**  
 (856) 848-4589  
**LEGAL SERVICES**  
 (856) 848-5360

**MORRIS COUNTY:**

Morris County Courthouse  
 Civil Division  
 Washington & Court Streets  
 P. O. Box 910  
 Morristown, NJ 07963-0910  
**LAWYER REFERRAL**  
 (973) 267-5882  
**LEGAL SERVICES**  
 (973) 285-6911

**UNION COUNTY:**

Deputy Clerk, Superior  
 Court  
 1st Floor, Court House  
 2 Broad Street  
 Elizabeth, NJ 07207-  
 6073  
**LAWYER REFERRAL**  
 (908) 353-4715  
**LEGAL SERVICES**  
 (908) 354-4340

**BURLINGTON COUNTY:**

Deputy Clerk, Superior Court  
 Central Processing Office  
 Attn: Judicial Intake  
 First Fl , Courts Facility  
 49 Rancocas Road  
 Mt. Holly, NJ 08060  
**LAWYER REFERRAL**  
 (609) 261-4862  
**LEGAL SERVICES**  
 (609) 261-1088

**HUDSON COUNTY:**

Deputy Clerk, Superior Court  
 Civil Records Dept.  
 Brennan Court House, 1st Floor  
 583 Newark Avenue  
 Jersey City, NJ 07306  
**LAWYER REFERRAL**  
 (201) 798-2727  
**LEGAL SERVICES**  
 (201) 792-6363

**OCEAN COUNTY:**

Deputy Clerk, Superior Court  
 Court House, Room 121  
 118 Washington Street  
 P.O. Box 2191  
 Toms River, NJ 08754-2191  
**LAWYER REFERRAL**  
 (732) 240-3666  
**LEGAL SERVICES**  
 (732) 341-2727

**WARREN COUNTY:**

Deputy Clerk, Superior  
 Court  
 Civil Division, Court  
 House  
 413 Second Street  
 Belvidere, NJ 07823-  
 1500  
**LAWYER REFERRAL**  
 (908) 859-4300  
**LEGAL SERVICES**  
 (908) 475-2010

**CAMDEN COUNTY:**

Deputy Clerk, Superior Court  
 Civil Processing Office  
 Hall of Justice  
 1<sup>st</sup> Fl, Suite 150  
 101 South 5th Street  
 Camden, NJ 08103  
**LAWYER REFERRAL**  
 (856) 182-0618  
**LEGAL SERVICES**  
 (856) 964-2010

**HUNTERDON COUNTY:**

Deputy Clerk, Superior Court  
 Civil Division  
 65 Park Avenue  
 Flemington, NJ 08822  
**LAWYER REFERRAL**  
 (908) 236-6109  
**LEGAL SERVICES**  
 (908) 782-7979

**PASSAIC COUNTY:**

Deputy Clerk, Superior Court  
 Civil Division - Court House  
 77 Hamilton Street  
 Paterson, NJ 07505  
**LAWYER REFERRAL**  
 (973) 278-9223  
**LEGAL SERVICES**  
 (973) 523-2900

**CAPE MAY COUNTY:**

Deputy Clerk, Superior Court  
 9 N Main Street  
 Cape May Court House, NJ  
 08210  
**LAWYER REFERRAL**  
 (609) 463-0313  
**LEGAL SERVICES**  
 (609) 465-3001

**MERCER COUNTY:**

Deputy Clerk, Superior Court  
 Local Filing Office, Courthouse  
 175 S. Broad Street  
 P. O. Box 8068  
 Trenton, NJ 08650  
**LAWYER REFERRAL**  
 (609) 585-6200  
**LEGAL SERVICES**  
 (609) 695-6249

**SALEM COUNTY:**

Deputy Clerk, Superior Court  
 Attn: Civil Case Management  
 Office  
 92 Market Street  
 Salem, NJ 08079  
**LAWYER REFERRAL**  
 (856) 935-5629  
**LEGAL SERVICES**  
 (856) 691-0494

**CUMBERLAND COUNTY:**

Deputy Clerk, Superior Court  
 Civil Case Management Office  
 60 West Broad Street  
 P. O. Box 10  
 Bridgeton, NJ 08302  
**LAWYER REFERRAL**  
 (856) 696-5550  
**LEGAL SERVICES**  
 (856) 691 0494

**MIDDLESEX COUNTY:**

Deputy Clerk, Superior Court  
 Middlesex Vicinage  
 Second Floor, Tower  
 56 Paterson Street  
 P. O. Box 2633  
 New Brunswick, NJ 08903-2633  
**LAWYER REFERRAL**  
 (732) 828-0053  
**LEGAL SERVICES**  
 (732) 249-7600

**SOMERSET COUNTY:**

Deputy Clerk, Superior Court  
 Civil Division Office  
 40 North Bridge Street  
 P. O. Box 3000  
 Somerville, NJ 08876  
**LAWYER REFERRAL**  
 (908) 685-2323  
**LEGAL SERVICES**  
 (908) 231-0840

# EXHIBIT B

ALJ 12071

A TRUE COPY ATTEST  
*J. F. Mallinson*  
J. F. MALLINSON  
RI CONSTABLE # 6174  
SERVED 5/8/17 1242pm

DAVIS, SAPERSTEIN & SALOMON P.C.  
375 Cedar Lane  
Teaneck, NJ 07666-3433  
(201) 907-5000  
Fax: (201) 692-0444  
Attorneys for Plaintiff

MARYELLEN HANLEY AND JOSEPH  
HANLEY, HER SPOUSE,

Plaintiff(s),

- vs -

METROPOLITAN PROPERTY AND  
CASUALTY INSURANCE COMPANY, JOHN  
DOES 1-10 (FICTION NAMES  
REPRESENTING UNKNOWN  
INDIVIDUALS) AND/OR XYZ CORPS. 1-10  
(FICTION NAMES REPRESENTING  
UNKNOWN CORPORATIONS,  
PARTNERSHIPS AND/OR LIMITED  
LIABILITY COMPANIES OR OTHER TYPES  
OF LEGAL ENTITIES)

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: MIDDLESEX

DOCKET NO. MID-L-2353-17

Civil Action

**SUMMONS**

Defendant(s).

**FROM THE STATE OF NEW JERSEY  
TO THE DEFENDANT (S) NAMED ABOVE:**

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf).) If the complaint is one in

-1-

DAVIS, SAPERSTEIN & SALOMON, P.C.  
375 Cedar Lane  
Teaneck, New Jersey 07666-3433  
(201) 907-5000

5/8 Received by Brian Crowley

foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at [http://www.judiciary.state.nj.us/prose/10153\\_deptyclerklawref.pdf](http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf).

*/s/ Michelle M. Smith*

---

MICHELLE M. SMITH, Clerk

Dated: May 4, 2017

Name of Defendant to be served: Metropolitan Property and Casualty Insurance Company  
700 Quaker Lane  
Warwick, RI 02886

**CIVIL COVER SHEET**

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

Maryellen Hanley and Joseph Hanley, her spouse

**DEFENDANTS**

Metropolitan Property and Casualty Insurance Company

**(b)** County of Residence of First Listed Plaintiff Somerset County, NJ  
*(EXCEPT IN U.S. PLAINTIFF CASES)*

County of Residence of First Listed Defendant Kent County, RI  
*(IN U.S. PLAINTIFF CASES ONLY)*

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF  
 THE TRACT OF LAND INVOLVED.

**Attorneys (If Known)**

Paul A. Garfield, Esq., Davis, Saperstein &amp; Salomon, P.C., 375 Cedar Lane, Teaneck, NJ 07666, (201) 907-5000

Anthony J. Accardi, Esq., Accardi &amp; Mirda, P.C., 100 Eagle Rock Ave., Ste. 307, East Hanover, NJ 07936, (973) 585-6480

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- |  |   |
|--|---|
| <input type="checkbox"/> 1 U.S. Government Plaintiff | <input type="checkbox"/> 3 Federal Question<br><i>(U.S. Government Not a Party)</i>                     |
| <input type="checkbox"/> 2 U.S. Government Defendant | <input checked="" type="checkbox"/> 4 Diversity<br><i>(Indicate Citizenship of Parties in Item III)</i> |

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)  
*(For Diversity Cases Only)*

	PTF	DEF		PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/>	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input checked="" type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input checked="" type="checkbox"/> 110 Insurance	<b>PERSONAL INJURY</b>	<b>PERSONAL INJURY</b>	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881	<input type="checkbox"/> 375 False Claims Act
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<b>PROPERTY RIGHTS</b>	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 820 Copyrights	<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 830 Patent	<input type="checkbox"/> 450 Commerce
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 840 Trademark	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage Product Liability	<b>LABOR</b>	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 710 Fair Labor Standards Act	<b>SOCIAL SECURITY</b>	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 720 Labor/Management Relations	<input type="checkbox"/> 861 HIA (1395ff)	<input type="checkbox"/> 490 Cable/Sat TV
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 740 Railway Labor Act	<input type="checkbox"/> 862 Black Lung (923)	<input type="checkbox"/> 850 Securities/Commodities/ Exchange
<input type="checkbox"/> 196 Franchise	<b>CIVIL RIGHTS</b>	<input type="checkbox"/> 751 Family and Medical Leave Act	<input type="checkbox"/> 863 DIWC/DIWW (405(g))	<input type="checkbox"/> 890 Other Statutory Actions
<b>REAL PROPERTY</b>	<b>HABEAS CORPUS:</b>	<input type="checkbox"/> 790 Other Labor Litigation	<input type="checkbox"/> 864 SSID Title XVI	<input type="checkbox"/> 891 Agricultural Acts
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 893 Environmental Matters
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 441 Voting	<b>IMMIGRATION</b>	<b>FEDERAL TAX SUITS</b>	<input type="checkbox"/> 895 Freedom of Information Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 442 Employment	<input type="checkbox"/> 462 Naturalization Application	<input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 896 Arbitration
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 443 Housing/ Accommodations	<input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 871 IRS-Third Party 26 USC 7609	<input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 445 Amer. w/Disabilities - Employment	<b>DOCKET NUMBER</b>		<input type="checkbox"/> 950 Constitutionality of State Statutes
<input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 446 Amer. w/Disabilities - Other			
	<input type="checkbox"/> 448 Education			

**V. ORIGIN** (Place an "X" in One Box Only)

- |  |  |  |   |  |  |   |
|--|--|--|---|--|--|---|
| <input type="checkbox"/> 1 Original Proceeding | <input checked="" type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from Another District (specify) | <input type="checkbox"/> 6 Multidistrict Litigation - Transfer | <input type="checkbox"/> 8 Multidistrict Litigation - Direct File |
|--|--|--|---|--|--|---|

Cite the U.S. Civil Statute under which you are filing (*Do not cite jurisdictional statutes unless diversity*):  
 28 U.S.C. Section 1332

**VI. CAUSE OF ACTION**

Brief description of cause:  
 Plaintiff has filed a claim against Defendant for Underinsured Motorist Benefits

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION  
 UNDER RULE 23, F.R.Cv.P.

DEMAND \$  
 485,000.00

CHECK YES only if demanded in complaint:  
**JURY DEMAND:**  Yes  No

**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE  
 06/06/2017

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

**INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44****Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
  
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
  - United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
  - United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
  - Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
  - Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
  
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
  
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
  
- V. Origin.** Place an "X" in one of the seven boxes.
  - Original Proceedings. (1) Cases which originate in the United States district courts.
  - Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
  - Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
  - Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
  - Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
  - Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
  - Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.

**PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
  
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
  
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.  
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.  
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
  
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

**Date and Attorney Signature.** Date and sign the civil cover sheet.

ACCARDI & MIRDA, P.C.  
100 Eagle Rock Ave., St. 307  
East Hanover, New Jersey 07936  
Tele: (973) 585-6480  
Fax: (973) 585-6487  
Attorney/Firm ID: 029391987  
Attorneys for Defendant, METROPOLITAN PROPERTY AND CASUALTY INSURANCE COMPANY

---

MARYELLEN HANLEY AND JOSEPH HANLEY, HER SPOUSE,

Plaintiffs,

vs.

METROPOLITAN PROPERTY AND CASUALTY INSURANCE COMPANY, JOHN DOES 1-10 (FICTION NAMES REPRESENTING UNKNOWN INDIVIDUALS), AND/OR XYZ CORPS. 1-10 (FICTION NAMES REPRESENTING UNKNOWN CORPORATIONS, PARTNERSHIPS AND/OR LIMITED LIABILITY COMPANIES OR OTHER TYPES OF LEGAL ENTITIES), and LUCILLE BIONDO,

Defendants,

---

: UNITED STATES DISTRICT COURT  
: DISTRICT OF NEW JERSEY

:

:

: CIVIL ACTION

:

: CERTIFICATE OF SERVICE

:

:

:

:

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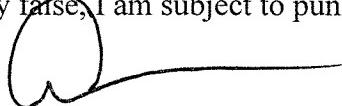
:

I, ANTHONY J. ACCARDI, ESQ., certify as follows:

1. On June 6, 2017, I electronically filed the within Notice of Removal with William T. Walsh, the Clerk of the Court, United States District Court, Martin Luther King Federal Courthouse & Building, 50 Walnut Street, in Newark, New Jersey 07102.
2. On June 6, 2017, I forwarded one (1) copy of the within Notice of Removal to the Clerk, Middlesex County Superior Court, 56 Paterson Street, in New Brunswick, New Jersey 08903, via New Jersey Lawyer's Service.

3. On June 6, 2017, I forwarded one (1) copy of the within Notice of Removal to Paul A. Garfield, Esq., Davis, Saperstein & Salomon, P.C., 375 Cedar Lane, Teaneck, New Jersey 07666, via New Jersey Lawyer's Service.

I hereby certify that the foregoing statements made by are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



\_\_\_\_\_  
ANTHONY J. ACCARDI, ESQ.

Date: June 6, 2017